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For the mark SYNTTEL

[REDACTED]

V.

Opposition No.91152909

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #22

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City of New York

OPPOSER'S ANSWER TO
MOTION FOR SUMMARY JUDGEMENT
AND FOR SUSPENSION OF PROCEEDINGS

In answer to this Motion, Opposer summarizes facts and arguments it has already documented and presented:

- o Opposer has used the word mark SYNTEL in International Classes 035 and 042 continuously from before Applicant's claimed first use.

- o Opposer has used the word mark SYNTEL to describe its proprietary computer language, and to market that language and related services through the Internet. These services have included essentially all the activities described in International Classes 035 and 042.
- o Opposer has had a continuous Internet presence as syntel.com since 1987 or earlier. Opposer identifies its business activities through the domain name "SYNTEL" with the standard commercial extension ".com".
- o Opposer will suffer damage if this Registration is allowed to proceed.

Applicant's other registrations for business consulting services, including "CONSIDER IT DONE", "DIGITAL BLUEPRINTING", "INTELLICAPTURE", "INTELLISOURCING", "INTELLITRANSFER", "METHOD 2000", and "TEAMSOURCING" are completely irrelevant to the present action. Applicant's status as a public company is also completely irrelevant.

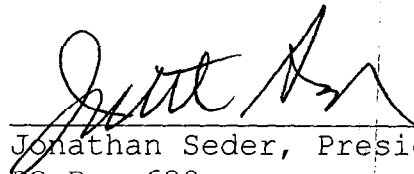
At various times since 1983, Opposer investigated the possibility of obtaining a registration for the word mark SYNTEL, but after identifying many other entities using this mark in these Classes, Opposer determined that it would not be proper to attempt registration. Indeed, to avoid confusion, for several years Opposer has published a directory of the roughly seventy other users of the word mark SYNTEL on the Internet at <http://www.syntel.com/synteltable.html>. Most of the entities in this directory use the mark in International Classes 035 and 042. Two particularly relevant entries in this list are SYNTEL DATA

SYSTEMS providing custom computer programming services under that name since 1983, and SYNTEL LLC a provider of telecommunications software.

Opposer hereby requests that the Board deny Applicant's Motion for Summary Judgement, and further requests that the Board reject this Application altogether.

Respectfully submitted,

SyntelSoft Inc.

A handwritten signature in dark ink, appearing to read 'Jonathan Seder', is written over a horizontal line.

Jonathan Seder, President
PO Box 680
Palo Alto CA 94301-1321
Date: 17 June 2003

Certificate of Mailing

I deposited two copies of the enclosed "OPPOSER'S ANSWER TO MOTION FOR SUMMARY JUDGEMENT AND FOR SUSPENSION OF PROCEEDINGS" in a U.S. Postal Service letter box for pickup on the date shown, with appropriate First Class Mail postage affixed. I mailed these copies to:

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Commissioner for Trademarks
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and

Susan M Kornfield
Bodman Longley & Dahling LLP
110 Miller Ave Ste 300
Ann Arbor MI 48104-1387

Signature: _____



Printed name: _____

Richard D. Wales

Date: _____

6/19/03